

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 ISO-00 FCSC-01 CEA-02 FRB-03 EB-11

CIAE-00 INR-11 NSAE-00 RSC-01 SS-20 NSC-07 CIEP-03

SP-03 OMB-01 TRSE-00 DRC-01 /093 W

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P 101424Z SEP 74

FM AMEMBASSY PRAGUE

TO SECSTATE WASHDC PRIORITY 6907

INFO AMEMBASSY BONN PRIORITY

AMEMBASSY BRUSSELS PRIORITY

AMEMBASSY LONDON PRIORITY

AMEMBASSY PARIS PRIORITY

AMCONSUL ZURICH PRIORITY

C O N F I D E N T I A L PRAGUE 2205

E.O. 11652: GDS

TAGS: PFOR, EFIN, CZ, BE

SUBJECT: US-CSSR CLAIMS AGREEMENT: GOLD TRANSFER AND PAYMENTS
TO US

REFS: A. PRAGUE 2148

B. STATE 176410

C. STATE 195665

1. SUMMARY: EMBOFF MET WITH MFA 6TH DEPARTMENT LEGAL
ADVISOR (MILOSLAV JEZIL) TO FINALIZE TEXTS OF ANNESES A AND B.
AGREED TEXTS REFLECT FOR THE MOST PART DEPARTMENT'S VIEWS AS STATED
IN STATE 195665. (TEXTS BEING REPORTED SEPTTEL). END SUMMARY.

2. CZECH EXPERT ACCEPTED DEPARTMENT VIEWS RE APPROPRIATE DOCU-
MENTS STATED IN STATE 195665 AND WILL USE OCCASION OF THEIR EXPERT'S
MEETING WITH TGC AND SPC IN ZURICH TO DETERMINE WHAT DOCUMENTS
ARE NEEDED. THUS, NO FURTHER REFERENCE IN ANNEX TEXT TO DOCUMENTS
IS NECESSARY. HE HAS ALSO AGREED TO SIMPLIFIED
WORDING OF DESIGNATION OF INSTITUTION TO RECEIVE DELIVERY ORDER.

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3. REGARDING EARLIER REQUEST FOR "SPECIFICATION" TO ACCOMPANY

DELIVERY ORDER, CZECH EXPERT CONCEDED THAT CSSR EXPERTS MAY WELL DETERMINE AFTER MEETINGS AT TFC AND SBC THAT "SPECIFICATION" NOT NECESSARY, AT LEAST WITH RESPECT TO ANNEXES' TEXTS. POSSIBILITY WAS RAISED THAT BANKS SHIPPING GOLD TO SBC IN COURSE OF ADMINISTRATIVE AND PHYSICAL ARRANGEMENTS FOR ACTUAL GOLD TRANSFER, WOULD GENERATE BY THEMSELVES OR THROUGH SHIPPER ADEQUATE DOCUMENTS IDENTIFYING GOLD WHICH WAS BEING SHIPPED. EXPERT ASKED, HOWEVER, THAT FOR THE MOMENT THE TEXT OF ANNEXES A AND B SHOULD CONTAIN BRACKETED CLAUSES ON "SPECIFICATION" SO THAT WORDING CAN BE READILY INCORPORATED IF THIS PROVES NECESSARY. (FYI: EXPERT TOLD EMBOFF THAT THE CZECHS' CONCERN HERE IS WITH THE COINS, NOT GOLD BARS.)

4. DEPARTMENT WILL NOTE THAT IN ANNEX A, PARAGRAPH 4, THERE IS REFERENCE TO STATE BANK OF CZECHOSLOVAKIA. LEGAL EXPERT EXPLAINED THAT UNDER CZECHOSLOVAK LAW, MINISTRY OF FINANCE HAS POWER TO DESIGNATE, ON BEHALF OF CZECHOSLOVAK GOVERNMENT, THE STATE BANK OF CZECHOSLOVAK TO RECEIVE GOLD AND THAT STATE BANK, AND NOT MINISTRY OF FINANCE, WILL OPERATE ACCOUNT ON BEHALF OF CZECHOSLOVAK GOVERNMENT. AS A RESULT, IT APPEARED TO EXPERT THAT MINISTRY OF FINANCE ALONE COULD PROVIDE INSTRUCTIONS TO SBC SUCH AS THOSE IN ANNEX B LETTER AND THAT THERE WOULD BE NO NEED FOR ADDITIONAL SIGNATURE BY STATE BANK OFFICIAL. REQUEST DEPARTMENT'S COMMENTS WHETHER THIS FORMULATION ACCEPTABLE

5. EXPERT POINTED TO NEED TO KEEP WORDING "GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC" AND "UNITED STATES OF AMERICA" WHERE IT APPEARS IN LATEST VERSION OF TEXTS OF BOTH ANNEXES (SEPTTEL FOLLOWING), SINCE IN THOSE INSTANCES ANNEXES REFER TO OFFICIAL NAME OR OFFICIAL TITLES CONTAINING NAME OF CZECHOSLOVAK OR U.S. GOVERNMENT RATHER THAN TO EITHER GOVERNMENT AS AN OPERATING AGENT. IS THIS ACCEPTABLE?

6. EMBASSY WOULD APPRECIATE DEPARTMENT'S EARLY REPLY TO ABOVE QUESTIONS AS WELL AS ANY COMMENTS ON TEXT OF ANNEXES.
SHERER

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Message Attributes

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